

D.B. CIVIL WRIT PETITION (PIL)NO.3904/2006

Girdhari Ram & ors.
vs.
State & Ors.

Date of order :: 12-09-2006

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri K.R. Choudhary, for the petitioners.

The grievance of the petitioners in this writ petition which has been filed as a public interest litigation is that despite order of the Tehsildar, Jodhpur under Section 91 of the Land Revenue Act for eviction of trespassers/encroachers from the lands of khasra nos.1206 and 1233 of village Bhatinda within Jodhpur Tehsil, the persons concerned are not being removed from the lands. It is said that notice seeking demand of justice was served on the concerned officials including the Collector, Jodhpur but without any result.

After hearing counsel for the petitioners, we permit the petitioners to approach the collector, Jodhpur again along with a copy of this order, and seek necessary direction. It will be open to the collector to make an enquiry at his own level and, if

necessary, hear the persons concerned. However, the exercise should be completed preferably within four months of filing of the application by the petitioners.

With the above direction, the writ petition is disposed of.

[MOHAMMAD RAFIQ], J.

[S.N.JHA], CJ.

Praveen